

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DANE R. GILLETTE  
Chief Assistant Attorney General  
3 GARY W. SCHONS  
Senior Assistant Attorney General  
4 KEVIN VIENNA  
Supervising Deputy Attorney General  
5 DANIEL ROGERS, State Bar No. 204499  
Deputy Attorney General  
6 110 West A Street, Suite 1100  
San Diego, CA 92101  
7 P.O. Box 85266  
San Diego, CA 92186-5266  
8 Telephone: (619) 645-2283  
Fax: (619) 645-2191  
9 Email: Daniel.Rogers@doj.ca.gov

10 Attorneys for Respondent

11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

13  
14 **ARMANDO MORALES,**

Petitioner,

15  
16 v.

17 **DARREL ADAMS, Warden,**

18 Respondent.

08cv705 JAH (PCL)

**MOTION FOR  
ENLARGEMENT OF TIME  
TO FILE ANSWER TO  
PETITION FOR WRIT OF  
HABEAS CORPUS**

The Honorable Peter C. Lewis

19  
20 Daniel Rogers declares:

21 I am the Deputy Attorney General assigned to prepare the Answer in this matter which was  
22 due on August 6, 2008. I request time to file the Answer be extended thirty (30) days through  
23 September 5, 2008, for the following reasons:

24 This Court ordered a response to the Petition on May 14, 2008. I have previously  
25 requested one enlargement of time in this matter, which was granted to August 6, 2008. In  
26 calendaring the new due date, I inadvertently calendared my response as being due on August 16,  
27 2008. Consequently, when I was preparing the instant second enlargement request, I discovered that  
28 my pleading had, in fact, been due some days earlier. This error was entirely the result of my own

1 inadvertence and apologize to the Court and Petitioner for any inconvenience I have caused.

2 I am currently preparing responses to petitions for writ of habeas corpus in *Stockdale v.*  
 3 *Adams*, EDCV 08-0562 RSWL (FMO); *Shephard v. Sullivan*, EDCV 08-579 ODW (JC); *Morales*  
 4 *v. Adams*, 08cv705JAH (PCL); *Momon v. Poulos*, EDCV 08-701 JVS (JC); *Weller v. Adams*, EDCV  
 5 08-749-SGL (AGR); *Lacy v. Cate*, 08cv1083-W (BLM), and *Jones v. People*, EDCV 08-0906-AG  
 6 (RC), as well as a Supplemental Answer in *Ruff v. Hall*, EDCV 04-1330-MMM (MAN).  
 7 an Opposition to a Supplemental Brief in *Lomack v. Scribner*, 07cv0017-L (WMc).

8 Since this Court ordered a response to the instant Petition, I have filed an Answer in  
 9 *Brewer v. Salazar*, 08cv0029-H (PCL); *Hollis v. People of the State of California*, EDCV 07-1501-  
 10 SVW (RC); *Evans v. Tilton*, 07cv0791-JM (BLM); *Crouse v. Marshall*, 08-0166 IEG (LSP), and  
 11 *Tran v. Hernandez*, SACV 08-346-PA (SS), and a Supplemental Answer in *Nguyen v. Horel*, 07-  
 12 0752-MMM (JTL). I have also filed a Motion to Dismiss in *Regalado v. Dexter*, CV 08-672-DSF  
 13 (MAN), a Reply to Petitioner's Opposition to a Motion to Dismiss in *Vasquez v. County of San*  
 14 *Bernardino*, EDCV 07-1682-JVS (MAN), an Opposition to a Supplemental Brief in *Lomack v.*  
 15 *Scribner*, 07cv0017-L (WMc). In the Ninth Circuit, I have filed an Appellee's Brief in *Poland v.*  
 16 *Clark*, 07-56702, and an Opposition to a Petition for Rehearing and Rehearing En Banc in *Self v.*  
 17 *Rimmer*, 05-55999. Additionally, I have completed a draft of an Answer in *Shephard v. Sullivan*,  
 18 EDCV 08-579 ODW (JC) and *Momon v. Poulos*, EDCV 08-701 JVS (JC).

19 In addition to the assignments described above, I advise district attorney personnel  
 20 throughout the state in executing their responsibilities in responding to international child abduction  
 21 matters under the Hague Convention on the Civil Aspects of International Child Abduction. 42  
 22 U.S.C. § 11601 et. seq.; Cal. Fam. Code § 3455. These are time-sensitive matters that arise  
 23 unpredictably and require immediate attention. I spend roughly one day per week on average  
 24 working on child abduction matters.

25 I generally work on cases in the order they are assigned to me. I am currently preparing  
 26 my response in *Stockdale v. Adams*, due August 27 after receiving two enlargements of time. When  
 27 I have completed my responses in that matter, I will begin preparing my response in the instant  
 28 matter. I am currently working evenings and weekends to complete the above assignments.

1 Granting of an enlargement of time will permit me to gather the necessary state court  
2 records and allow my response to be prepared without impairing its quality and allow adequate time  
3 for review and processing.

4 I declare under penalty of perjury under the laws of the United States of America that the  
5 foregoing is true and correct.

6 DATED: August 14, 2008 at San Diego, California.

7  
8 Approved for Filing:

9 s/GARY W. SCHONS  
10 Senior Assistant Attorney General

11 Respectfully submitted,  
12 EDMUND G. BROWN JR.  
13 Attorney General of the State of California  
14 DANE R. GILLETTE  
15 Chief Assistant Attorney General  
16 GARY W. SCHONS  
17 Senior Assistant Attorney General  
18 KEVIN VIENNA  
19 Supervising Deputy Attorney General

20 s/DANIEL ROGERS  
21 Deputy Attorney General  
22 Attorneys for Respondent

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**CERTIFICATE OF SERVICE BY U.S. MAIL**

Case Name: **Morales v. Adams**

No.: **08CV0705 JAH (PCL)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On August 14, 2008, I served the following documents:

**MOTION FOR ENLARGEMENT OF TIME TO FILE ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS AND ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

**Electronic Mail Notice List**

I have caused the above-mentioned document(s) to be electronically served on the following person(s), who are currently on the list to receive e-mail notices for this case: NONE.

**Manual Notice List**

The following are those who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing):

Armando Morales  
#P80673  
CSP Corcoran  
P.O. Box 3481  
Corcoran, CA 93212

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 14, 2008, at San Diego, California.

Anna Herrera

Declarant



Signature